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ABSTRACT

This is a presentation of current and future government policy concerning the role that the government will play with respect to development, financial support, publication, and distribution of educational material to schools. Publishers and educators are urged to challenge the value and usefulness of existing materials and to improve these in the swiftly changing educational scene. Different kinds of publishers are attracted to different kinds of products. New emphasis concerns policies and procedures for expanded distribution of information gained from Federally supported research projects; liberalized copyright policies; selection of publishers; royalty sharing agreements; promotion of products without unduly favorable treatment; financial support available to try out promising programs in solution of educational problems. PAS (Publishers Alert Service) is to provide early alert for equal access to information on Federally supported research and development products under development, for which arrangements with publishers are being sought. Distribution of this alert may be through trade associations. (GR)

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EDUCATORS, PUBLISHERS, AND FEDERAL POLICY*

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Prior to last January a tourist entering the Office of Education --- should he stray so far from the conventional Washington attractions --- encountered a lobby of forbidding austerity decorated only by outsize representations of the Great Seal of the United States. The presence of the Seal assured our tourist that he was still in America, that we are one from many, and that the Eye of Providence --- looking down from the obverse --- was fixed benevolently and firmly upon him. Beyond that, he might as well have stumbled into the Atomic Energy Commission or the Railroad Retirement Board, such was the institutional anonymity of the surroundings.

This is no longer true. For on January 10 I had the privilege of helping to dedicate the new Educational Reference Center that takes up nearly the entire north lobby of the OE building, conferring upon our headquarters a very welcome warmth --- in addition to conveying a notion of the work we do there. The Center is an important addition to our information retrieval and reference services. It is a rich display of many hundreds of the latest and best materials published for educational use, and we know these materials are examined by thousands of teachers, supervisors, curriculum directors, and others responsible for

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the published materials used in our schools. Rarely have symbolism and practicality so happily combined, and we are grateful for your generous assistance in providing the materials that we display.

The Center is one more piece of evidence testifying to the strong and productive relationship that has long existed in this country between publishing and education --- a relationship that is good for you in the solid market that you have with good purpose developed in the schools, and good for educators in the added teaching effectiveness a book, film, or multi-media package brings to the classroom. Not the least of this relationship is the skilled technical assistance that producers afford the practitioners in the uses of materials. I think this partnership can --- indeed, must --- expand this effort in the years immediately ahead, as we discover new ways to collaborate for the good of our common purpose. I would suggest that your educational market, now approaching $780 million a year, can increase substantially during the balance of this decade. And I would say further that the part played in education by the media --- in all forms --- will also be appreciably larger, and not in the schools alone. For there is, as you recognize, a growing need for educational products in American homes and businesses, the extent of which we have barely begun to define.

You might well be asking yourselves at this point just what it is that we in the Office of Education have to offer

that will help to stimulate the growth of educational publishing, and attendant profitability for you. This is your business, after all, and you were making a go of it for a long time before the Federal Government got into the act with a handful of categorical aid, R&D money and pious intentions.

Well, I would say to begin with that, thanks in large part to your patient instruction, we are a good deal wiser in the ways of paper, ink, printing presses, and market penetration than we were a few years ago.

We may still believe in God, mother, flag, country, and the ultimate perfectability of man --- but we don't believe any longer in a vague and unproductive policy of public domain for publishing federally supported materials. Nor do we continue to suffer under the delusion that a raw piece of research typed with two fingers on yellow ruled paper is glowingly ready for installation in 17,000 school districts by a week from Tuesday --- give or take a day or two.

We bow to your professional competencies in concept development, design, editing, manufacture, distribution, finance, and all the other skills, expertise, and services that independent operators in the give-and-take of private enterprise must develop in order to succeed in your industry. The partnership takes note that each partner brings a unique competence to the compact, and we need yours as competitive producers. Our policy affecting the encouragement of copyright management reflects that conviction. Indeed, we have steadily sought to liberalize this policy and to

take additional steps that will facilitate your role as private entrepreneurs in the field of education, and perhaps lighten the risks you must take. I will detail those steps to you in a few moments.

But before I get into that I would like to make what to me is the overriding point of these remarks and of the entire dialogue between publishing and education. It is simply this: no one of us, whatever our position or role in the educational enterprise, can continue to operate on the unexamined assumptions of the past, or all of the time-honored practices, techniques, and materials by means of which we have sought to educate our people.

We have spoken of a crisis of confidence in education, and if a well-worn term, it is nevertheless a legitimate and accurate description of the feelings entertained by a very broad and very substantial proportion of the American public as the people match their expectations for education against our performance at all levels, including the university. I would say that professional educators are challenged more pointedly now than ever before in our experience. And it goes without saying that those who do business with us share some of the pressure we face. Not as directly perhaps. You will not be required to attempt to justify, or at least explain, the failure of our schools to retain 800,000 dropouts a year, or detail the reasons why our high schools graduate upwards of three-quarters of a million young men and women each year with no apparent skills that will

enable than to bargain for a living in our starkly competitive and increasingly technological society. But you will, I hope, comprehend and accept as we do the need for the thoroughgoing reform in education that President Nixon has called for, indeed that this Nation is calling for. Including, of course, examination and reform of the fundamental conceptions underlying the published materials used in the schools.

What this says to me is that we must be prepared to question the usefulness of all educational materials presently used in the schools, not going at the review in a destructive, negative fashion --- too often the style these days --- but by not being satisfied that we have found the ultimate in teaching materials. At the risk of appearing trite, I offer the proposition that your profession is a part of the swiftly changing educational scene as much as mine.

Much of what is published and used in our elementary and secondary schools is, of course, excellent and of undisputed value to the educational process. But I'm just as certain that many more materials are of dubious value and, at the very least, lack a reasonable basis in research to show that they are doing the job that needs to be done. Fault the teacher, fault the texts, fault the system, fault the parents, and indeed fault the curriculum and the materials of instruction. We simply have to do better, all of us.

It is in the crucial area of developing research-based materials that I am convinced that the Office of Education can

be of greatest service to educational publishing. OE's stake in these basic investigations has grown substantially in the past decade. For Fiscal Year 1973 the President has requested $125 million for the National Institute of Education, which will be the focus of our research and development initiatives. It is probably true that a great deal of this money cannot be expected to result in any tangible, immediately marketable products for the schools, but perhaps 30 to 40 percent of it can be expected to do exactly that, and we want to lay the groundwork now to insure that we complete the cycle successfully, adopting perhaps a more practical and harmonized system between research and the marketplace than we have had in the past. We know that researchers have often produced materials that while of intrinsic merit in the laboratory have been far too unfinished for any publisher to consider for commercial purposes --- and yet, faced by these facts, the attitude of the researchers has regrettably too often been that if the publisher failed to recognize a good thing, that was his hard luck. Further, the skill of the publisher has too often been excluded from the developer's hide-away. In reality, of course, it was education's hard luck as a large number of research dollars that might have had an improving effect on education have simply gone down the drain, or reside in yellowing sheafs, overtaken by events.

Our firm intention is to plug up that dollar drain and to make our R&D dollars count with the same element of hard headed practicality with which you run your businesses. You know, for example, from your discussions with the NIE planners that a

basic operating rule of the Institute --- as it is now planned and subject to further refinement in the law and emergence of its governing body --- will be that it will not accept any large-scale research scheme unless it is accompanied by a detailed plan for gaining public and professional acceptance of the anticipated products and for carrying out the propagation and installation of those products in the schools of the country. If there is one lesson that we have learned from our experience of the past few years, it is that the most inspired cerebrations of the most gifted investigators must lend themselves to presentation in marketable form, feasible for installation, or they will come to nothing.

Putting this lesson into practice is an absorbing topic in the Office of Education, with most of the hard thinking taking place in our National Center for Educational Communications. This is where, among other things, we manage the OE Copyright program as part of our general mission to stimulate the spread of educational products and practices. With strong counsel from many of you, we have constructed a system for engaging your early interest in the research products produced under OE sponsorship, particularly those of the eight university-based Educational Research and Development Centers and the 15 Regional Laboratories. They should be the capital-producing arm of this great educational enterprise. They will become instruments and properties of NIE upon its establishment.

Though the copyright program itself can be considered to be something of an experiment for us, we believe --- and I know you

agree --- that it is a considerable improvement on our vascillating policies of the past, particularly the "public domain" thinking that prevailed in OE in the middle 60's. The authors of that strategy were convinced that throwing good products up for grabs would attract publishers whose investment protection would lie in their own marketing ingenuity and creativity, irrespective of how many responsible or opportunistic entrepreneurs caught the public domain toss. Therefore no legal exclusivity was required or should be offered. This airy faith in the phantom efficiencies of the "educational marketplace" unfortunately proved simply bad business and a mistaken perception of the marketing industry. The Federal Government's annual investment of $80 to $100 million in educational research during the years of public domain produced pitifully few marketable products in the schools, though OE itself collected large amounts of detailed results from grantees, many undoubtedly worthy of commercial dissemination. I understand that one of our people had collected at one time more than 200 sets of unpublished curriculum materials developed under Title III of the Elementary and Secondary Education Act alone. The copyright program of 1968, liberalized through the issuance of new guidelines in 1970, is an effort to prevent that kind of scholarly waste, not to mention the waste of money.

To review the policy briefly, the arrangement provides that the developing organization --- university, individual scholar,

NIE, lab, center, school system, or whatever --- initiates the search for a publisher at some point during the early phase of the development of a new educational product. Our emphasis has been to attempt to engage the interest of the publishers and conclude a publishing agreement early enough in development to include the publisher's expertise in the process. We recognize that economies and efficiencies built in at an early stage can spell the difference between profit and loss when it comes time to market the product.

The publisher is identified through a competitive procedure. NCEC must concur with criteria to be used by the developer in making the final selection of the publisher or producer. One criterion, for example, is the control of royalties --- half of which are retained by the publisher, the remainder going to the United States Treasury. The winning bidder is awarded the exclusive right to publish the product of Government-sponsored research and development under a copyright that is limited to a specific number of years, usually five. Thus far, after about a year of operation, approximately 50 sets of commercially produced materials have been published under the program. Though the arrangement has not yet produced large amounts of royalties --- as of the end of March, the Government had received as its half a total of $11,000 --- there are indications that we can expect steady and significant growth. For example, we will shortly be in receipt of $75,000 from sales of the Intermediate Science Curriculum Studies developed by Florida State University

and published by the Silver Burdett Company, and another $25,000 from the Industrial Arts Curriculum developed by the Ohio State Research Foundation and published by McKnight & McKnight.

Products produced under copyright range from thick volumes to pamphlets and paperbacks, and include impressive sets of multi-media curriculum materials. Certainly the weightiest entry to date is a 1,500-page history of the development of education in this country produced by the Council of Chief State School Officers. Another 100 products are in the process of publication and 100 more are being tested, under copyright, to determine their effectiveness. We think it is, on balance, a good start. One of the attractive features of this arrangement is that different kinds of publishers are attracted to different kinds of products -- some large, some small, some broad-based, some quite special in their scope.

We do not feel that our responsibility for the Federal research investment ends with the granting of a copyright. Once the product is available, we believe the Office of Education should actively promote its use. Here again we are experimenting, attempting to determine ways for OE to work in a complementary fashion with the publishers without granting any individual firm unduly favorable treatment, or placing competitive firms at a disadvantage in distributing parallel materials.

The sensitivity of this issue has been demonstrated rather clearly by the negative reaction in some quarters of the publishing industry to the arrangement concluded by OE for production and installation of the kindergarten reading program

developed by the Southwest Regional Laboratory (SWRL). The production part of the action is routine and not in dispute. The Laboratory's request to publish under copyright was approved by OE because the reading system is a highly complex one, made up of many parts including a parent tutorial component, and obviously requiring professional publishing skills for orderly and economic production and marketing. The contract was awarded to Ginn & Company, one of only two bidders out of the 22 firms that had requested and received RFP's, despite the fact that all 22 were told that OE was considering limited funding for initial installation of the program at selected sites around the country. The reading program had been tested by SWRL with 50,000 children and we believed that the success of these experiments showed that it was ready for national marketing. In fact, the SWRL system was one of five products identified by an HEW task force as entirely worthy of strong support, particularly in view of HEW's conviction --- to which I fully subscribe --- that we had best begin demonstrating some tangible results for our millions in research investment. In short, we were possessed of a fine system of research-based, validated reading materials developed with Federal Government support and felt that we should try to accelerate entry of these materials at the kindergarten level.

Thus, a total of $1,300,000 in FY '72 funds, taken from the Commissioner's 15 percent discretionary setaside under

Title III of the Elementary and Secondary Education Act, has been made available to local education agencies in 18 States for installation of the SWRL program --- an amount that will finance provision of the reading system to approximately 4 percent of the Nation's kindergarten pupils. This amounts, in reality, to a large-scale introductory effort, and should enable substantial numbers of local districts to see what the program can accomplish and then to decide whether or not it is suitable for their situations.

We believe that this supportive action is wholly consistent with the legal authority of the Commissioner of Education to make grants to local districts to enable them to try out programs that have promise of making substantial contributions to the solution of education problems common to many State or to all States. However, we also recognize that support of this kind cannot be limited to the installation of any single product. Accordingly, we are now discussing with a number of publishers the possibility of entertaining proposals to use a similar amount of FY '73 funds for the installation of kindergarten reading programs that would be judged competitive --- by highly selective criteria --- with the SWRL system. This is an example of the rough edges and pitfalls that lie across any significant effort to accelerate change in U.S. education. But despite the problems, the continuing charges by Congress, the Administration and the knowledgeable public

relating to unutilized research compel us to use the limited discretionary leverage of our Office to assist in the implantation of new validated practices.

We are, of course, moving in uncharted country and it is very likely inevitable that further disagreements, differences, and assorted clashes of opionion will occur. But we intend to try to minimize their number by strengthening our communications with your industry, to make certain that all our cards are on the table, and that arrangements concluded are acceptable to the large majority --- conceding that perfect harmony and concord will not be achieved in this life, not even on Bermuda.

Consequently, we have been discussing with the executives of AAP the possibility of a meeting --- indeed, a series of meetings --- that would serve to increase each other's understanding of the proper role of the Federal Government in helping to install published materials in the classroom. For a long time we in the Office of Education have been told to get moving and do <u>something</u> in research and development. But perhaps for the moment it might be more appropriate for us <u>not</u> to simply do something, but to get our bearings first. And so it would seem useful that the meetings include representatives from publishing houses of assorted sizes, State education agency and local elementary and secondary people, higher education producers and consumers, product developers such as the heads of the OE Regional Laboratories and non-OE-connected centers such as those supported by the National Science Foundation and, of course, members of the Office of Education staff and our attorneys ---

yours and ours, I should say.

The thoughts of these individuals can help us identify the problem, propose policy alternatives, and perhaps achieve a working agreement that would enable us to avoid SWRL-type disagreements hereafter. I would urge your leadership to press forward with the necessary collaboration.

I would like to see the Office of Education characterized as responsive, humane, non-bureaucratic, and outgoing. We have taken many steps in the past year which have greatly increased the accessibility of interested and affected parties to all of our many decisions and program implementations. We are systematizing the listening processes as well as the performance processes. At the same time, we are propelled by a sense of high urgency to utilize the resources of our Office as Congress intends them, to push ahead. And, despite a share of unsettling hitches, the copyright program and related efforts at delivering new products and procedures to the classroom are going forward with considerable success and, I would say, with the general approbation of the concerned parties. Certainly we believe that through our many educational resource centers and bureaus in Washington and through the various networks of communication to State, local, public, private, elementary, secondary, and higher education patrons, we are making tested, validated products far more available for inspection by school systems nationwide than ever before.

We agree with you that the efforts of profit-making enterprises, competing against each other, and controlling the

total publishing function, is the most effective and efficient way to meet the needs for instructional materials and educational institutions. To facilitate this competition, and to a degree equalize it, the Office of Education is about to establish a new communications device --- the Publishers Alert Service (PAS). A contract was awarded last week to operate the enterprise. Particulars on this will be officially announced within a week or two.

PAS will be in essence an early alert to all publishers, giving them equal access to information on federally supported R&D products currently under development for which arrangements with publishers are sought. While this program has been developed over the past year or two in the Office of Education's research and communications bureaus, the process will very likely shift to NIE. In any case, under the PAS system developers will provide product data on standard forms, including such pivo al facts as whether or not copyright protection will be sought, and when the developer wishes to start a dialogue with qualified and interested publishers. On the basis of this information OE will prepare announcements --- as need dictates --- for distribution by trade associations including the American Association of Publishers, the Information Industry Association, and the National Audio-Visual Association. You should receive the first of the PAS announcements sometime this summer.

These mechanisms that I have mentioned today --- the copyright program, the Publishers Alert Service, the dissemination,

the technical assistance and installation functions of the Office of Education --- are of considerable importance to the development of a new, strong, and even more productive relationship between publishing and education than that which has traditionally existed since Gutenberg put moveable type to the service of the mind of man.

I believe that these mechanisms represent constructive action by the Government to make OE's claim to be a facilitator as well as consumer of educational publishing more reasonable and believable than has been the case in the past. But such actions must be regarded as only the beginning, as only the start of a very long and very necessary period of experimentation, development, and aggressive searching out of the new and more effective technologies our teachers and learners require.

I invite you to take as deep and creative a role in the change procedure as you feel capable of assuming. I ask you to continue to help us in the Office of Education bring the results of research to the classroom in economical ways, attractive ways, and above all in ways that work to make teaching more effective.

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